



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

10/1/99

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Expediting Requests for Prospective Purchaser Agreements

FROM: Barry Breen, Director
Office of Site Remediation Enforcement

TO: Addressees (See Attached)

As a means to promote the reuse of CERCLA sites, EPA in conjunction with DOJ, is committed to building on the success of the PPA program and expediting the process for obtaining Prospective Purchaser Agreements (PPA). Attached are both a model letter that acknowledges a PPA request and a checklist of information that EPA will generally require in evaluating PPA requests. Providing PPA requesters with a standard acknowledgment letter and information checklist will help standardize the process and allow for a quicker review of requests. Further, potential PPA requesters and other interested parties will be able to obtain a description of the information EPA will generally require to evaluate requests.

In addition, EPA has made minor revisions to the Model PPA. A clarification to the definition of "existing contamination" has been added which Regions may opt to use when seeking to limit "existing contamination" to that present on the property being purchased rather than the entire site. Examples of when this optional definition may be appropriate include situations where the property being purchased is a small parcel in comparison to the site. The revised model is attached.

EPA is also implementing the following improvements to the PPA process:

- A PPA tracking system has been developed within the CERCLIS/WasteLAN database. The system will allow EPA to track individual requests, evaluate the timeliness of EPA's response, and identify where in the PPA process delays are occurring. A more descriptive explanation of CERCLIS's PPA tracking capabilities and the Regions role in keeping the database up to date will be provided in a separate memorandum.
- EPA and DOJ have each designated a PPA expediter who will work to quickly resolve issues that are impeding progress. EPA's expediter is Jack Winder who can be reached at (202) 564-4292, and DOJ's expediter is Alan Tenenbaum who can be contacted at (202) 514-5409.

- EPA and DOJ are exploring potential clarifications to the 1995 PPA Guidance.
In evaluating and improving the PPA process, the Office of Site Remediation Enforcement has worked closely with the PPA Workgroup that includes representatives from Headquarters, Regions, and DOJ. The Workgroup's contribution is greatly appreciated. For further information on general PPA policy contact David Gordon at (202) 564-5147 and for case-specific PPA assistance or questions on the revisions to the Model PPA contact Helen Keplinger at (202) 564-4221.

Attachments

cc:

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Addressees

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